



larger loss areas such as the Department of Public Works (DPW) to implement the necessary programming, responded to Department of Labor (DOL) compliance mandates. He noted that the New York State DOL Public Employees Safety and Health Agency enforced OSHA and State standards and it was the responsibility of his Risk Management Resource Team to help facilities prepare for and respond to compliance standards.

Mr. Needham cited the example of a Town that was cited for lack of respiratory protection and it was found that the violation was based on unnecessary measures which saved thousands of dollars. Another example given by Mr. Needham was the case of a Municipality which was cited for non compliance of workplace standards for workplace violence training, which his team was able to provide.

Continuing, Mr. Needham stated that the implementation plan included a significant amount of work and included the creation of a written safety and health program which contained programming on hazard communications, safety policy statements, energy control programs, lock-out/tag-out, blood borne pathogen exposure control plans, personal and protective equipment (PPE) assessments, injury management policies, hearing conservation, respiratory protection programs and workplace violence.

Mr. Needham expressed that his goal at the County level was to train managers and supervisors on the injury management program which included understanding how root cause analysis worked. He further stated the importance of investigating incident reports for legitimacy and follow-through. Mr. Needham listed training opportunities for management staff which included OSHA record keeping, workplace safety audits, confined space training, drug and alcohol training, emergency management training, reasonable suspicion training, and more.

In terms of continuous programming, Mr. Needham stated that training throughout the County was available on an ongoing basis both days and evenings for topics such as blood borne pathogens, PPE, and MSDS, which were OSHA workplace training requirements.

Mr. Sheehan thanked Mr. Needham for the informative update and commended him on their full year of accomplishments with regard to employee safety and training.

Mr. Taylor asked about cost avoidance programs and how \$30,000 per year in expenses was justified. Mr. Needham stated that Warren County was self-insured and the RFP consisted of two parts, one of which was loss control, and the other was safety and health compliance. He stated that a vigilant work safety environment would directly support good loss control based on industry standards for injury rates. He further explained that injuries and accidents raised expenses and therefore, he said, when employees had greater awareness and vigilance regarding safety behaviors, it resulted in fewer incidents. He noted that fines were incurred for violations; therefore; he stated, safety compliance was equivalent to cost avoidance. Changing the safety culture, he noted, created a sustained positive result in terms of safety records.

Mrs. Clute reported that the number of new Workers' Compensation claims filed this year were the lowest since 2004. She said that eight claims were filed last month with no lost time and she noted that the average number had been between 20 and 25. She stated the percentage

of decrease for the County for new claims filed was 39% as compared to the previous year. She credited increased safety awareness to this positive trend.

Mr. Goodspeed asked how workplace violence programming was enforced and critiqued. Mr. Needham stated that it was mandated by New York State which included standards that required a policy and assessments. He further stated that the assessments would identify high risk scenarios, such as employees handling cash, traveling alone, in direct customer contact, or any other contentious situations for which training was mandatory. In terms of workplace violence, he said that Management typically handled progressive discipline for which Human Resources also played a critical role.

Mr. Goodspeed apprised that an anomaly of Town government was the lack of a vertical chain of command. He said that although policies were in place, management staff did not have the ability to carry out disciplinary action for an actual incident. Mr. Needham apprised that Needham Risk Management promoted broad risk management policies which required a reporting mechanism much like sexual harassment incidents. This broadness in scope, he stated, allowed latitude in assessing violations, which was largely a function of awareness.

Pertaining to catastrophic accidents, Mr. Goodspeed inquired about the history of catastrophic incidents which involved employees or non-employees, especially with a fatality where litigation would ensue. Mr. Needham stated that there were various levels (severity) with minor injuries at the bottom of the pyramid, and catastrophic injuries which would involve three or more employees being hospitalized for one incident, or a fatality, at the top. Unfortunately, he stated, OSHA would be present to build a case and any statements made were critical to the case. He underscored the need for management accountability relative to safety.

Mr. Strainer asked for the definition of a near miss accident and Mr. Needham replied that a near miss was defined as an incident that almost caused significant loss or injury. Reports of near misses, he stated, indicated greater safety awareness which required trust and credibility for the safety management program. He added that with proper analysis, and investigative work, the reporting of near misses played an important role in preventing a larger incident in the future.

Mr. VanNess congratulated Mr. Needham and he commended him for his hard work and dedication given to the program.

Mrs. Clute presented a request to renew the contract with Needham Risk Management, for safety consulting services, for the period January 1, 2010 through December 31, 2011, for a total amount not to exceed \$31,270 for the first year and \$33,140 for the second year. She noted the expense would come out of the self-insurance plan.

Motion was made by Mr. VanNess, seconded by Mr. Goodspeed and carried unanimously to approve the request to renew a two-year contract with Needham Risk Management as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mrs. Clute presented a request to approve the Warren County Injury Management Guidelines Policy as prepared by the Warren County Risk Management Steering Committee and Needham

Risk Management.

Motion was made by Mr. Girard, seconded by Mr. Goodspeed and carried unanimously to approve the Warren County Injury Management Guidelines Policy as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mrs. Clute requested authorization for the Chairman of the Board to sign the "Parallel Test" Memorandum of Understanding (MOU) with the New York State (NYS) Workers' Compensation Board (WCB) for the retrieval of documents via the WCB website, which would allow the Self-Insurance Administrator to retrieve case notices electronically.

Motion was made by Mr. VanNess, seconded by Mrs. Simmes and carried unanimously to authorize the MOU with the NYS WCB as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mrs. Clute presented a request to renew the contract with Midwest Employers Casualty Company for 2010, for excess workers compensation coverage, for a total amount not to exceed \$124,314.

Motion was made by Mr. Taylor, seconded by Mr. Girard and carried unanimously to approve the request to renew the contract with Midwest Employers Casualty Company as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The next item presented by Mrs. Clute was a request to renew the contract with the United States Liability Insurance Company, for employers liability coverage for 2010, for a total amount not to exceed \$21,722.

Motion was made by Mr. VanNess, seconded by Mrs. Simmes and carried unanimously to approve the request to renew the contract with the United States Liability Insurance Company as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The final request presented by Mrs. Clute would authorize the Warren County Treasurer to transfer unencumbered monies in the Self-Insurance Fund, up to the maximum limit of \$4,500,000 as of December 31, 2009, into the Contributory Reserve Fund.

Motion was made by Mr. Taylor, seconded by Mr. Strainer and carried unanimously to approve the request authorizing inter-fund transfers as outlined above and the necessary resolution was authorized for the December 18, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

This concluded the Self-Insurance portion of the Support Services Committee meeting and privilege of the floor was extended to Rob Metthe, Director of Information Technology (IT) who distributed copies of the agenda to the Committee members, a copy of which is on file with the minutes.

Mr. Metthe presented a request for a transfer of funds from Code A.1680 120 - Salaries - Regular, to Code A.1680 120 - Overtime, in the amount of \$5,000, to cover overtime for the year.

Motion was made by Mr. Girard, seconded by Mr. VanNess and carried unanimously to approve the request for a transfer of funds for overtime as outlined above and to refer same to the Finance Committee. *A copy of the request for Transfer of Funds is on file with the minutes.*

Mr. Metthe stated that the overtime was due to necessary work in the County Clerk's Office which was scheduled after hours to avoid lost revenue in the County Clerk's Office. Mr. Geraghty asked Mr. Metthe why he could not have planned in advance to adjust his staff hours from day to night to avoid overtime expenses.

A discussion ensued and Mr. Metthe explained that at that time he had concluded that the removal of an employee from the help desk during regular work hours would cause significant delays in response time. He noted that the help desk averaged 50 inquiries per day.

Mr. Girard asked if the amount needed for overtime was included under regular salaries and Mr. Metthe replied affirmatively.

Mr. Metthe further stated that a computer had been down and service requests in his Office were 36 hours behind schedule. He apprised that the County Clerk required 12 hours of IT service and he was faced with the dual challenge to serve the County Clerk and to retain the service integrity of his Department. Mr. Geraghty asserted that it was Mr. Metthe's responsibility to manage his Department.

Mr. Metthe presented a request to decrease the salary of his position of Director of IT, from base salary of \$78,963, to the base salary of \$63,170, Employee No. 10635, contingent upon retention of health insurance benefits.

Motion was made by Mr. Taylor, seconded by Mr. Goodspeed and carried unanimously to approve the request to decrease the salary of the Director of IT as outlined above and to refer same to the Personnel Committee. *A copy of the request to Decrease Salary of Non-Union Position is on file with the minutes.*

Mr. VanNess exited the meeting at 10:22 a.m.

This concluded the IT portion of the Support Services Committee meeting and privilege of the floor was extended to Joan Sady, Clerk of the Board, who presented a request to fill the vacant position of Messenger, base salary \$26,558, Employee No. 4055, due to retirement. Mrs. Sady noted that the part-time Messenger position would be abolished on January 1, 2010.

Motion was made by Mr. Taylor, seconded by Mr. Girard and carried unanimously to approve the request to fill the vacant position of Messenger as outlined above and to refer same to the Personnel Committee. *A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.*

JoAnn McKinstry, Deputy Commissioner of Administrative and Fiscal Services, presented a

request for reimbursement for a job related course entitled *Program Planning and Evaluation* (Political Science and Public Affairs) through Empire State College, in the amount of \$491.20.

Mr. VanNess re-entered the meeting at 10:29 a.m.

Motion was made by Mr. Taylor, seconded by Mr. Goodspeed and carried unanimously to approve the request for course reimbursement as outlined above and to refer same to the Personnel Committee. *A copy of the Application for Approval to Enroll in Job-Related Courses by Employee is on file with the minutes.*

Chairman Monroe referenced a discussion held recently with Andi Novick, an Attorney in Rhinebeck, NY, who represented the coalition to save the mechanical voting machines. He stated that Ms. Novick had identified a law firm that was willing to make a case against the State on the passage of the thermal law which required the use of the mechanical voting machines. Chairman Monroe stated that he was against the mandatory use of the mechanical machines due to the cost and compromised security and integrity. He stated his opposition for such a mandate and he apprised that Paul Dusek, County Attorney, had spoken with Ms. Novick about the viability of such a case. Chairman Monroe stated that Ms. Novick had apprised that a private plaintiff was necessary in the case and asked Chairman Monroe if he would agree to act as same. Chairman Monroe informed the Committee that he had agreed to act as a private plaintiff in the case. He stated Mr. Dusek would advise the Board of Supervisors and that there would be no cost to the County.

Mr. VanNess asked of the possible repercussions should the case be lost and Chairman Monroe said that was one of Mr. Dusek's main concerns. He stated that in order for our Election Commissioner to be disqualified as a plaintiff in the case, a signed affidavit indicating that they were unable to certify the results of the election would be necessary.

Mr. VanNess expressed his willingness to join the case and asked why this could not be accomplished as a full Board. Mr. Goodspeed concurred and asked why the entire Board could not sign on as individual plaintiffs in the case. Mr. Strainer noted that the new machines would disenfranchise the voters.

Mr. VanNess asked if Mr. Dusek could prepare a statement to begin the process. Chairman Monroe stated that he would be contacting the Board members in this regard.

As there was no further business to come before the Support Services Committee, on motion made by Mr. VanNess and seconded by Mr. Goodspeed, Mr. Sheehan adjourned the meeting at 10:34 a.m.

Respectfully Submitted,  
Joanne Collins, Legislative Office Specialist